

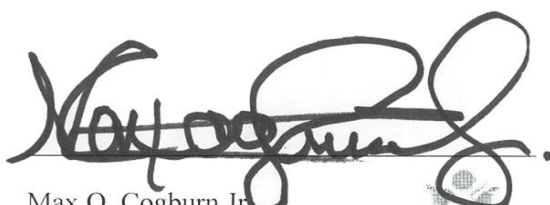
(3) the forfeited asset's intrinsic value to the defendant; and (4) the expense of maintaining the forfeited property.” United States v. Droganes, 893 F.Supp.2d 855, 894 (E.D.Ky.2012) (citing United States v. Clark, No. 05–80810, 2007 WL 1140913 (E.D.Mich. Apr. 17, 2007); United States v. Hronek, No. 5:02–cr–142, 2003 WL 23374653 (N.D.Ohio Aug. 4, 2003)); accord United States v. Peters, 784 F.Supp.3d 234, 235 (W.D.N.Y.2011); United States v. Davis, No. 07–cr–11, 2009 WL 2475340, at *2 (D. Conn. June 13, 2009); United States v. Riedl, 214 F.Supp.2d 1079, 1082 (D.Haw.2001).

Defendant has made no attempt to address any of those factors in seeking a stay. Indeed, each of the factors weighs against a stay as the court finds that: (1) it unlikely that defendant will succeed on appeal as the trial was fairly conducted and the verdict was fully supported by the evidence; (2) the boat *will*, as all boats do, depreciate in value over time, making conversion of that vessel into cash more advantageous to the government and the defendant; (3) defendant has not informed the court of any intrinsic or sentimental value in the boat and does not even use the word “boat” in his motion; and (4) maintaining a 26 boat in dry dock is a substantial expense and requires not just dockage (dry, wet, or yard) fees, but upkeep as systems maintenance would be required to preserve the integrity of the engine(s).

ORDER

IT IS, THEREFORE, ORDERED that defendant’s Motion to Stay Forfeiture Pending Appeal (#101) is **DENIED**.

Signed: November 19, 2015



Max O. Cogburn Jr.
United States District Judge

